

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION**

Ralph John (“Trey”) Fallows, III,	)	<b>CASE NO. 4:19-cv-01182-JD</b>
	)	
Plaintiff,	)	
	)	
v.	)	<b>RESPONSE TO MOTION TO</b>
	)	<b>APPEAR <i>PRO HAC VICE</i></b>
	)	
Coastal Carolina University,	)	
Michelyn Pylilo, individually, and	)	
Travis E. Overton, individually,	)	
	)	
Defendants.	)	
<hr/>	)	

Coastal Carolina University, Michelyn Pylilo, individually, and Travis E. Overton, individually, (collectively, “**Defendants**”) offer this response to Ms. Kimberly Lau’s motion to appear *pro hac vice* [Entry #65]. Defendants have no objection to the Court granting the motion to appear *pro hac vice* only if the granting of the motion: (i) does not result in any delay to the current scheduling deadlines; (ii) does not serve as a basis for any requests for additional time and/or continuances; and (iii) does not serve as a basis for allowing Plaintiff to re-open discovery or revive any deadline that may have passed as of the filing of the motion to appear *pro hac vice*. Otherwise, Defendants object to and oppose the motion on the grounds that if the motion were granted it would cause undue delay and prejudice to the Defendants.

Defendants have litigated this case for over three and one-half years,<sup>1</sup> and Defendants should not be prejudiced by the fact that Plaintiff seeks to bring in new

<sup>1</sup> The Summons and Complaint was filed on April 23, 2019.

counsel at this late hour. Currently, discovery has ended and the Defendants' motion for summary judgment is pending. Defendants would respectfully request that if the Court grants the motion to appear *pro hac vice*, that it does so on the following conditions:

1. That Ms. Lau's appearance in this case will not serve as a basis for any delay to the current scheduling deadlines;
2. That Ms. Lau's appearance in this case will not serve as a basis for any requests for additional time and/or continuances;
3. That Ms. Lau's appearance in this case will not serve as a basis for allowing Plaintiff to re-open discovery or revive any deadline that may have passed as of the filing of the motion to appear *pro hac vice*.

**Respectfully Submitted,**

Dated: October 31, 2022

**BURR & FORMAN LLP**

By: /s/ James K. Gilliam  
James K. Gilliam (Fed ID 10761)  
104 South Main St., Suite 700 (29601)  
Post Office Box 447  
Greenville, SC 29602  
864.271.4940 (Telephone)  
864.271.4015 (Facsimile)  
[jgilliam@burr.com](mailto:jgilliam@burr.com)

*Attorney for Defendants*